

## Message Text

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ACTION ARA-10

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FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC 8454

C O N F I D E N T I A L BUENOS AIRES 0149

E.O. 11652: GDS  
TAGS: PINT, SHUM, AR  
SUBJECT: HUMAN RIGHTS WORKING GROUP AND US INTEREST CASES

REF: (A) BUENOS AIRES 7429, (B) BUENOS AIRES 8297

1. COUNSELOR EDGARDO FLORES, A CAREER DIPLOMAT, HAS RECENTLY COME TO THE FOREIGN MINISTRY'S HUMAN RIGHTS WORKING GROUP FROM HIS FORMER POST IN SWITZERLAND. FLORES SERVED A TOTAL OF SIX YEARS IN THE US IN THE EARLY 1960S, FOUR IN THE ARGENTINE EMBASSY IN WASHINGTON, AND TWO IN THE CONSULATE IN NEW YORK. HE HAS TWO CHILDREN BORN IN THE US. FLORES' ENGLISH IS EXCELLENT, ALTHOUGH OUR DISCUSSIONS ARE HELD IN SPANISH. CAPTAIN ROBERTO SEISDEDOS HAS NOW PROCEEDED TO HIS NEW COMMAND IN TRELEW AND, ACCORDING TO FLORES, WILL NOT BE REPLACED BY A NAVY (OR OTHER MILITARY) OFFICER IN THE WORKING GROUP. THE GROUP IS NOW HEADED BY COUNSELOR JUAN CARLOS ARLIA, ANOTHER CAREER DIPLOMAT. THE WORKING GROUP IS LOCATED IN OFFICE OF UNDER SECRETARY ALLARA, AND IS PROBABLY TO BE OVERSEEN BY NAVY CAPTAIN SANTOIANI OF THE UNDER SECRETARY'S STAFF.

2. IN TWO MEETINGS WITH EMBOFFS, FLORES HAS BEEN FRIENDLY AND CORRECT; ALSO INCREASINGLY FRANK ABOUT THE LIMITATIONS ON WHAT INFORMATION HE IS ABLE TO GET FROM THE INTERIOR MINISTRY IN ANSWER TO INFORMAL EMBASSY INQUIRIES. ON JAN 6, HE INFORMED EMBOFF THAT DUE TO ITS HEAVY WORKLOAD THE INTERIOR  
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MINISTRY IS NO LONGER ABLE TO MAKE CHECKS ON CASES WITHOUT MORE DETAILED INFORMATION, I.E. THE FULL NAME, BIRTH DATE, ADDRESS, IDENTIFICATION CARD NUMBER, PARENTS' NAMES AND ADDRESS, IF KNOWN, ETC. WITHOUT REFUSING TO TAKE NAMES LACKING THE ADDITIONAL INFORMATION, FLORES INDICATED THAT IT IS DOUBTFUL THE INTERIOR MINISTRY WOULD OR WOULD NOT TAKE THE TIME TO RUN CHECKS.

3. IN ANSWER TO GENERAL QUESTIONS ASKED IN A PREVIOUS MEETING, FLORES SAID THAT THE INTERIOR MINISTRY DOES NOT INTEND TO INFORM FOREIGN EMBASSIES OF THE SPECIFIC CHARGES AGAINST ARGENTINE CITIZENS BEING HELD UNDER THE STATE OF SIEGE. ANYWAY, HE REMARKED, IN MOST CASES THE ANSWER WOULD ONLY BE THAT THE PERSON IS BEING HELD ON SUSPICION OF COMMITTING ACTS AGAINST THE NATIONAL SECURITY (SUBVERSIVE ACTS OR AFFILIATION). FLORES ALSO SAID THAT THE INTERIOR MINISTRY WOULD NOT REVEAL THE NAMES OF THOSE ON THE "CHRISTMAS LISTS" WHO HAVE ACTUALLY BEEN RELEASED OR OF THOSE WHO HAVE BEEN TURNED OVER TO THE COURTS TO ANSWER CIVIL OR CRIMINAL CHARGES. AS THE MINISTRY OF JUSTICE IS RESPONSIBLE FOR CIVIL AND CRIMINAL PROCEEDINGS, FLORES SAID, RELATIVES WOULD HAVE TO QUERY THE JUSTICE MINISTRY FOR INFORMATION ON SPECIFIC CASES. (EMBASSY CONTINUES TO SEEK INFORMATION ON THE SIGNIFICANCE OF THESE LISTS, BUT WE INCREASINGLY HEAR ALLEGATIONS THAT A LARGE NUMBER OF THOSE APPEARING ON THESE LISTS HAVE NOT RETURNED TO THEIR HOMES AND WE ARE ONLY AWARE OF A FEW WHO HAVE BEEN REMANDED TO THE NORMAL JUDICIAL PROCESS.)

4. FLORES ALSO ADVISED THAT THE INTERIOR MINISTRY DOES NOT INTEND TO "FACILITATE" ACCESS OF FOREIGN CONSULAR OFFICIALS TO DETAINEES IN THE CASE OF THIRD-COUNTRY NATIONALS AND ARGENTINES. THE ISSUE AROSE DURING AN EARLIER DISCUSSION ABOUT THE PAROLE PROGRAM: WHETHER CONSULAR OFFICERS WOULD BE ABLE TO INTERVIEW DETAINED REFUGEES WHO MIGHT POTENTIALLY BE CONSIDERED FOR PAROLE INTO THE US EITHER IN JAIL OR SOME OTHER LOCATION. THE QUESTION IS ALSO PERTINENT TO THE NEW PROGRAM OF THE INTERIOR MINISTRY TO ALLOW DETAINED ARGENTINES TO PETITION TO LEAVE THE COUNTRY IF ACCEPTED

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BY A FOREIGN COUNTRY. (WE HAVE SEVERAL CASES--JUAN CARLOS GALLARDO, JUAN MENDEZ, DORA GOLDFARB--IN WHICH THE FAMILY HAS ASKED WHETHER THE EMBASSY COULD PROVIDE A VISA SHOULD THEIR RELATIVE BE AUTHORIZED TO LEAVE THE COUNTRY. THE EMBASSY WAS INTERESTED IN KNOWING HOW THE REQUIRED VISA INTERVIEW MIGHT TAKE PLACE, SINCE THE DETAINEE WOULD PROBABLY NOT BE RELEASED FROM JAIL TO MAKE A PERSONAL APPEARANCE TO THE CONSULAR OFFICER. ALTHOUGH WE HAVE NO TEST CASES YET, IT APPEARS THAT THE INTERIOR MINISTRY DOES NOT INTEND TO SIMPLIFY THE PROBLEM OF ACCESS SHOULD SUCH A CASE ARISE.)

5. ON ANTONIO MISETICH, FLORES SAID THE ARGENTINE EMBASSY'S REPLY WAS IN ERROR, THAT MISETICH WAS NOT IN THE HANDS OF THE EXECUTIVE AND HAD, IN FACT, DISAPPEARED. THE ARGENTINE AMBASSADOR HAS RECEIVED INSTRUCTIONS TO CORRECT ANY MISUNDERSTANDINGS ON THIS CASE, HE SAID.

6. FLORES SAID THE STATUS OF JUAN MENDEZ WAS UNCHANGED (REFTEL A). (EMBASSY HEARD FROM MENDEZ' FATHER YESTERDAY MORNING THAT A

DECREE AUTHORIZING HIM TO LEAVE THE COUNTRY LACKED ONLY THE PRESIDENT'S SIGNATURE. (SEE SEPTTEL.)

7. ON JAN. 6 EMBASSY ASKED FOR INFORMATION ON CLAUDIA INES PEIRO, MR. AND MRS. AMERICO DELIA SADY, ANGEL BUSTALO, EDMUNDO AND SUSANNA SZAPIRO, AND MIGUEL ANGEL POINSTEAU (AMCIT MOTHER). FROM FLORES' DISCUSSION, EMBASSY DOES NOT EXPECT REPLIES WILL BE FORTHCOMING UNLESS MORE IDENTIFICATION CAN BE OBTAINED.

8. JUAN MENDEZ' FATHER TOLD EMBOFF ON JAN. 6 THAT HE RECEIVED LETTER FROM CONG. KOCH IN DECEMBER SAYING KOCH AND GROUP OF CONGRESSMEN INTEND TO SUBMIT A BILL WHEN JANUARY SESSION OPENS REQUESTING EXPANSION IF PAROLE PROGRAM TO INCLUDE ARGENTINE CITIZENS. EMBASSY WOULD APPRECIATE LEARNING OF FURTHER DEVELOPMENTS.

9. EMBASSY HAS LEARNED FROM WIFE OF JUAN CARLOS GALLARDO, WHO WE NOTE IS SUBJECT OF CONSIDERABLE DEPARTMENT COMMUNICATION, THAT CONFIDENTIAL

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PROFESSOR GALLARDO IS CURRENTLY BEING HELD IN SIERRA CHICA PRISON IN BUENOS AIRES PROVINCE, THAT SHE HAS VISITED HIM AND HE WISHES TO GO TO US, AND THAT HE HAS SUBMITTED PETITION TO LEAVE THE COUNTRY (SEE REFTEL B).

10. COMMENT: IN VIEW OF FLORES' COMMENTS, EMBASSY WOULD APPRECIATE AN EFFORT TO OBTAIN IDENTIFICATIN INFORMATION ON EACH CASE SUBMITTED FOR INQUIRY.  
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